

March 31, 2004

Federal Communications Commission
455 12th Street SW
Washington, District of Columbia 20554

**RE: Petitions for Rule Making
RM-10867 through RM-10870 Inclusive**

Dear Sirs:

I am an Extra Class licensee in the Amateur Radio Service. I am writing to express my comments on the above captioned proceedings.

General Comments

1. All changes the Commission considers should be made after giving due consideration to the "Basis and purpose" of the Amateur Service as outlined at 42 CFR 97.1. In particular, the Commission **should carefully consider** whether the proposals adequately address the stated goals which include, *inter alia*:
 - Continuation and extension of the amateur's proven ability to contribute to the advancement of the radio art.
 - Encouragement and improvement of the amateur service through rules, which provide for advancing skills in both the communications and technical phases of the art.
 - Expansion of the existing reservoir within the amateur radio service of trained operators, technicians, and electronics experts.
2. I agree with some of the petitioners that the present structure of the Amateur Service is needlessly complex. I likewise agree with the ARRL petition that three license tiers, similar to the present Technician, General, and Extra classes are sufficient.
3. I believe that Morse code continues to be a valuable mode of communication, but in light of recent amendments to treaty obligations and emerging international practice, I do not believe that the requirement to pass a 5 WPM code examination should necessarily be required to obtain phone mode privileges on the HF bands.

Technician Class

4. I disagree with the petitioners that the entry requirements for the Technician Class license are so unduly complex that the requirements need to be lowered, or that an entry level "Communicator" class needs to be established. While it is undoubtedly a challenge for some individuals to learn the material necessary to obtain a license, the scope and subject matter of the exam are appropriate. If a person is unable, or unwilling, to learn the material, the Commission has provided a number of alternative wireless communication options under Part 95 that require no examination. Most of the questions on the Technician exam are directed at compliance with FCC regulations, operating procedures, and RF safety; these are all basic skills that **every** amateur operator should be familiar with.
5. With respect to RF safety, I note that the frequencies above 30MHz have a substantially greater potential for harm to the human body, even at relatively low power levels. As these are exactly the frequencies within which entry level licenses are permitted to operate, this topic should be tested thoroughly.
6. The potential for interference with television and other consumer electronics is higher in the VHF / UHF parts of the spectrum. Entry-level licensees need to be able to recognize both the cause of interference, and know potential mitigation strategies before they are allowed on the air.
7. Many new operators learn about amateur radio through low power operations using local FM repeaters and, to a lesser extent, satellite communications. Proper operating procedure is necessary to avoid interference with these shared resources. If new operators are not required to learn FCC regulations and appropriate operating procedures before becoming licensed, what will be the incentive to learn them later?
8. The limited HF privileges now afforded to Novice and "Tech Plus" licensees should be extended to all Technician licensees. This would obviate the need for the Novice and "Tech Plus" classes, and existing licensees with these designations could either be instantly upgraded upon adoption of new regulations, or at the next renewal date, whichever is administratively convenient for the Commission. In any case, all licensees in the Novice, Technician or Technician Plus Code Classes should immediately be granted identical operating privileges.
9. I **strongly disagree** with the ARRL suggestion that existing Technician Class licensees be automatically upgraded to General Class. I fail to see how an automatic upgrade serves to advance "skills in both the communications and technical phases of the art", or how it expands the number of "trained operators, technicians, and electronics experts". The level of technical skill required by amateurs is especially important since we are permitted to design and build our own radios without "type acceptance". The knowledge required to obtain the

present Technician Class license is not sufficient to be a General Class licensee (see also points 10-11 below).

General Class

10. I believe the existing requirements for General Class are appropriate, but for the need to pass the Element 1 exam for Morse code. Given the change in treaty obligations, and obvious trends in the international community, the Element 1 exam should no be required. Thus, any Technician Class licensee desiring to have expanded HF privileges, including phone, should only be required to demonstrate the required level of technical competence by passing the Element 3 exam.
11. Given the propagation characteristics of HF radio waves, it is appropriate to require a level of technical expertise commensurate with the existing General Class before granting HF phone or high power CW privileges. As the existing Technician Class exam does not test for this level of expertise, I believe that an automatic upgrade would be imprudent. While I am sure that there are many Technician Class licensees that have the requisite knowledge and ability, I am reluctant to assume that this is the case for all 322,000 Technician Class licensees. Those that are qualified and sufficiently motivated to operate at this level can manage to pass another 35-question test.

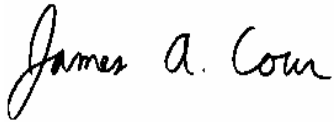
Extra Class

12. I believe that the requirements for Extra Class are entirely appropriate, including the Element 1 code test at 5 WPM. This license has always been held out as the standard to be achieved and the tough, but not insurmountable requirements, have done much to further "skills in both the communications and technical phases of the art". As a practical matter, the additional operating privileges granted to Extra Class operators are trivial when compared with General Class, so this license designation serves almost exclusively as an incentive to learn more and advance the art. That is exactly what 47 CFR 97.1 intends.
13. While Morse code may be a dying art, it is far from dead. It is not unreasonable for those licensees that aspire to the Extra license to know this basic, common, and frequently used mode of communication in addition to the detailed knowledge of electronics and circuit design required of Extra license. Those amateurs that do not want to learn the code can obtain nearly the same operating privileges as General Class if the code requirement is removed as I suggest above. While I am sympathetic to the petitioner that suggests that a code speed greater than 5 WPM is necessary to pass traffic in an emergency, I do not believe it is an appropriate licensing requirement. Those that enjoy and use CW will soon increase their speed, and those they don't will let the skill go unused regardless of the speed required on the exam.
14. The Advanced Class has outlived its usefulness and should be eliminated. I am persuaded that the requirements for obtaining an Advanced Class license in the

past were not so dissimilar to what is now required to obtain an Extra Class license. Accordingly, existing Advanced Class licenses should be automatically upgraded to Extra Class upon adoption of new regulations, or at the next renewal date, whichever is administratively convenient for the Commission. In any case, the operating privileges of Advanced Class licensees should be upgraded upon adoption of any new regulations.

15.I express no opinion on matters discussed in the petitions except as noted above.

Sincerely,

A handwritten signature in black ink that reads "James A. Cour". The signature is written in a cursive, flowing style.

James A. Cour

K1ZC